

**City of Reading City Council  
Regular Business Meeting  
Monday, June 13, 2011**

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Reverend Philip Keevil from the First Presbyterian Church.

All present pledged to the flag.

**ATTENDANCE**

Council President Spencer  
Councilor Acosta, District 1  
Councilor Goodman-Hinnershitz, District 2  
Councilor Sterner, District 3  
Councilor Marmarou, District 4  
Councilor Reed, District 5  
City Auditor D. Cituk  
City Solicitor C. Younger  
City Clerk L. Kelleher  
Managing Director C. Geffken  
Public Works Director C. Jones  
Sergeant at Arms Captain R. Shafer

**PROCLAMATIONS AND PRESENTATIONS**

There were no proclamations or presentations issued at this meeting.

**PUBLIC COMMENT**

Council President Spencer announced that six (6) citizens were registered to address Council; three (3) on agenda matters and three (3) on non-agenda matters. He inquired if any member of Council objected to suspending the rule requiring non-agenda comment at the end of the meeting. As no one objected, the rule requiring non-agenda comment at the end of the meeting was suspended. Council President Spencer reminded those registered to speak of the remaining public speaking rules.

**Terry Sutton, of George Street, York, PA**, introduced the owner of Elm View Apartments, Dan Dygert, of York, PA. Mr. Sutton distributed a packet showing the history of the property and the property's financials. Mr. Dygert stated that PFG and Fulton Bank formed a partnership for this project, which started about fifteen (15) years ago. He stated that the partnership renovated the building in 1995. He noted the great difficulty they have had in

attracting the higher rental rates predicted and also noted the difficulty in keeping up with regular building maintenance and dealing with tenant turnover. He stated that the partnership hopes to sell the building to Bruce Becker. He noted that the rental rates have been restricted, in part, as the project was partially funded by the City's CDBG funds. He explained their desire to seek forgiveness of the loan due to the low cash flow obtained from the building.

**Ernie Schlegel, of Pear Street**, noted his opposition to the micro-loan program proposed. He thanked the City for making roof repairs at the main branch along with the Northeast and Southeast branch libraries. He stated that repairs to the Northwest library branch roof are currently under way. He noted the need for interior repairs at the main branch library. He thanked Public Works and Operations Division Manager, Kyle Zeiber, for their outstanding work. He suggested using the funds proposed for the rehabilitation of the library buildings.

**Daniel Neiheiser, of Cotton Street**, was not present.

**Lavaughn Elam, of Locust Street**, was not present.

**Harvey Kimble, of Hollenbach Street**, described the annual Lincoln Street/Hollenbach Street block party for children under the age of 12. He stated that this block party has been occurring since 1996. He stated that his application for the block party permit was denied by Traffic Enforcement this year, due to the lack of Police manpower. He stated that in fifteen (15) years the block party has never required Police assistance and he volunteered to obtain private security to satisfy the issue raised by the Traffic Enforcement Division. He requested that the City reconsider his application.

## **APPROVAL OF THE AGENDA & MINUTES**

Council President Spencer called Council's attention to the minutes for the May 23<sup>rd</sup> regular meeting of Council and the agenda for this meeting, including the legislation listed under the Consent Agenda heading.

**Councilor Marmarou moved, seconded by Councilor Sterner, to adopt the minutes from the May 23<sup>rd</sup> Regular meeting of Council and the agenda including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.**

## **Consent Agenda Legislation**

**Resolution 86-2011** authorizing the disposition of the following public records for the Department of Fire and Rescue Services **(Fire)**

**Resolution 87-2011** adopts and submits to the Department of Environmental Protection

for its approval as a revision to the “Official Sewage Facilities Plan” of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto at 209 Lancaster Ave. **(Public Works)**

**Award of Contract** - for the Act 537 Plan RFP for the Wastewater Treatment Plant to Spotts, Stevens & McCoy, 1047 North Park Road, Reading, PA 19610, for a total submitted price of approximately \$142,752.00 **(Purchasing)**

**Award of Contract** - for the Wastewater Treatment Plant Roof Improvement Project to Roofers Edge, Inc. of 3761 East Lake Road, Dunkirk, NY 14048 for the Wastewater Treatment Plant Roof Improvement Project for the Department of Public Works in the amount of \$69,454.00 **(Purchasing)**

## **ADMINISTRATIVE REPORT**

Managing Director Geffken read the report distributed to Council at the meeting covering the following:

- Laying of the first steel beam at the Goggleworks Apartments on Monday, June 13<sup>th</sup>
- Dedication of the O’Pake Community Center at the Glenside Development
- Return of the Downtown Farmer’s Market each Friday

Public Works Director Charles Jones gave an overview of the Public Works Organization, which is comprised of two (2) divisions and five (5) units. He stated that he started working as the Public Works Director ten (10) years ago when the Department had 94 employees. He stated that reductions over the past ten (10) years left the Public Works Department with a total of 49 employees. He stated that ten (10) years ago the Department had ten (10) management employees; currently there are three (3). He stated that ten (10) years the Department had twelve (12) supervisors and currently there are eight (8) supervisors. He stated that ten (10) years ago there were twenty-one (21) Parks employees; currently there are nine (9) Parks employees. He stated that ten (10) years ago there are twenty-seven (27) Streets employees; currently there are seventeen (17) Streets employees. He stated that ten years ago there were seven (7) Recreation employees; currently there are two (2) Recreation employees. He stated that there were six (6) persons in the Traffic Engineering area; currently there are none (0). He noted that the reduction of manpower across the past ten (10) years has not reduced the demands on or the duties of the Public Works Department. He described the many projects undertaken by the Public Works Department and their need to provide good public service to Reading citizens.

Councilor Sterner thanked Public Works for continuing to provide good Public Service with a greatly reduced staff.

Councilor Goodman-Hinnershitz noted the challenge of providing good public service and maintenance of public facilities with reduced manpower. She suggested that the Public Works Director explore community partnerships to assist with parks and maintenance and other duties.

## **AUDITOR'S REPORT**

City Auditor Cituk read the report distributed to Council at the meeting covering the following:

- Collection of the 2011 Franchise Fees
- Collection of Traffic Fines
- Update on the 2010 External Audit

Councilor Acosta requested that the Administration and Auditor allow some Council Representatives to sit in when the External Auditor and the Administration discuss the corrective plan that accompanies the annual audit. He noted Council's wish to become part of the solution. The Auditor deferred to the Managing Director. Managing Director Geffken stated that he would take the request under consideration.

Councilor Acosta expressed the belief that as Finance Chair, he would value the opportunity to sit in and observe.

Councilor Marmarou noted the incorrect fear that increasing fines over the years would reduce the amount of annual revenue.

## **ORDINANCES FOR FINAL PASSAGE**

**Bill No. 26-2011** – amending the City of Reading Codified Ordinances Chapter 25 Trees, Part 25-104 Administration, by adding a new Section 4 Requirements For Tree Work Contractors and amending new Section 6 A by setting the number of members of the Shade Tree Commission at five (5), removing Section 110 requiring amendments to be made after Public Hearings are held and amending as necessary throughout as attached (**Council Staff/Shade Tree Commission**) *Introduced at the May 23 regular meeting*

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 26-2011.**

Council President Spencer explained that changes apply to the tree work contractors and also reduce the membership of the Shade Tree Commission from seven (7) to five (5) members.

**Bill No. 26-2011 was enacted by the following vote:**

**Yeas:** Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Spencer, President – 6.

**Nays:** None - 0.

**Bill No. 27-2011** – vacating the unopened portions of Eastman Road and Durham Street (Law/Public Works) *Introduced at the May 23 regular meeting*

**Councilor Reed moved, seconded by Councilor Acosta, to table Bill No. 27-2011.**

**Bill No. 27-2011 was tabled by the following vote:**

**Yeas:** Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Spencer, President – 6.

**Nays:** None - 0.

## **INTRODUCTION OF NEW ORDINANCES**

Council President Spencer read the following ordinances into the record:

**Ordinance** - amending the 2011 City of Reading Full Time Position Ordinance by increasing the number of Lieutenants within the Police Department from 8 to 10 (**Police/Council Staff**)

**Ordinance** – setting the salaries for the Mayor and Auditor at their 2011 rate until the City is released from Act 47 by the DCED (**Reed**)

**Ordinance** – amending the Special Events Permit ordinance (**Law**)

## **RESOLUTIONS**

**Resolution 70-2011** - authorizing the Mayor to execute a FFY2011 (37th CD year - January 1, 2011 to December 31, 2011) Action Plan Amendment to move \$450,000 in CDBG unprogrammed funds to the 2011 Microenterprise Development Activity (**Community Development**) *Tabled at the May 9 and May 23 regular meetings*

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Acosta, to table Resolution No. 70-2011.**

**Resolution No. 70-2011 was tabled by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Spencer, President – 6**  
**Nays: None – 0**

**Resolution 84-2011** - that the City of Reading consents to the sale of the Elm View Apartments Limited Partnership project property and the Mayor of the City of Reading is authorized to execute any and all documents required for the assignment of the above referenced loan and to modify certain Note and/or Loan Agreement terms, including but not limited to deferral of the July 2011 balloon payment, possible forgiveness of said balloon payment, and review of the July 2026 balloon payment for status determination  
**(Law/Community Development) Tabled at the May 23 regular meeting**

**Councilor Reed moved, seconded by Councilor Marmarou, to table Resolution No. 84-2011.**

**Resolution No. 70-2011 was tabled by the following vote:**

**Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Spencer, President – 5**  
**Nays: Acosta – 1**

**Resolution 88–2011** reappointing Gerald Richter to the Charter Board **(Admin Oversight)**

**Resolution 89–2011** appointing Ann Sheehan to the Citizen’s Advisory Board **(Admin Oversight)**

**Resolution 90–2011** appointing Don Ziegler to the Citizen’s Advisory Board **(Admin Oversight)**

**Resolution 91–2011** appointing Samuel Sims to the Park and Recreation Advisory Committee **(Admin Oversight)**

**Councilor Acosta moved, seconded by Councilor Reed, to adopt Resolutions No. 88-2011 through 91-2011.**

Councilor Marmarou noted the good quality of the candidates being appointed and reappointed this evening. Councilor Acosta and Reed echoed Councilor Marmarou’s support.

Councilor Marmarou noted the difficulty of obtaining volunteers to be on the Citizen’s Advisory Board. He stated that some citizens believe that due to Act 47 the time commitment could be too severe.

City Clerk Kelleher explained that the group is slated to meet one time, quarterly to receive updates on the City's progress in achieving the Act 47 Recovery Plan initiative. She stated that after receiving this information the citizens are expected to go out and spread that news through the community.

Councilor Goodman-Hinnershitz suggested writing a simple notation explaining the meeting schedule and the duties.

**Resolutions 88-2011 through 91-2011 were adopted by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Spencer, President – 6**  
**Nays: None – 0**

**Resolution** - recognizing the request based upon research and recommendation by independent counsel the following loans be marked and /or written off as uncollectable, settled or otherwise resolved as so indicated due to either prior settlement of the loans, bankruptcy through which the debt was discharged, or the uncollectable of the loan as a result of either the inability to locate responsible persons, lack of a personal guaranty for the debt or expiration of the statute of limitations to recover said debt as a contract claim  
**(Community Development)**

Managing Director Geffken stated that the Administration is withdrawing this resolution.

## **COUNCIL COMMENT**

Councilor Sterner thanked those who attended and spoke at tonight's meeting. He agreed with the need for the appeal and the reconsideration of the Block Party application for Lincoln and Hollenbach Streets.

Councilor Sterner announced the start of the Hillside Playground Bingo program on Monday evenings. He also noted the opening of the African American Museum on North 10<sup>th</sup> Street.

Councilor Marmarou noted the Night in the Heights event hosted by the College Heights Community Council to support its legal fund to supports it's battle fighting OrangeStone Firetree. He stated that the tickets are fifty dollars (\$50) per person and pre-registration is required. For additional information please contact the City Council office.

Councilor Goodman-Hinnershitz stated that she presented a commendation for Council President Spencer to Andrew Schlesner, aged fourteen (14), for earning his Eagle Scout award by completing a project on the Mount Penn trail.

Councilor Goodman-Hinnershitz stated that the Pagoda will now be open Friday, Saturday, Sunday from 12pm-4pm, weekly. She also announced the Bingo program at the East Reading pool.

Councilor Reed stated that the block party held on Lincoln and Hollenbach Street is a great community event and encouraged the Administration to reconsider and allow the block party to occur.

Councilor Reed stated that a 15<sup>th</sup> Ward Community Meeting will be held on Wednesday, July 20<sup>th</sup> at 6pm at the Wesley Methodist Church at North Front Street and West Douglas Street. She stated that at the meeting the cleanliness of the 15<sup>th</sup> Ward will be addressed, as requested, by Mr. Moore at the May 23<sup>rd</sup> Regular Meeting of Council.

Councilor Reed announced the upcoming Centre Park Garden Tour scheduled for June 24<sup>th</sup> and 25<sup>th</sup>. She also noted the dedication of the O'Pake Community Center at the Glenside Development on Wednesday, June 15<sup>th</sup>.

Councilor Acosta noted attending the graduation of Southwest Middle School students and noted the great leadership and pride these students have.

Council President Spencer reminded all citizens to be respectful of all Quality of Life ordinances during the warm weather months. He also noted the passing Coretta King, who attended Cheyney College.

Councilor President Spencer announced that Council will be going into an Executive Session at the close of this meeting to discuss a matter pertaining to litigation. He cited the correct section from the Sunshine Act.

Councilor President Spencer reviewed the upcoming meeting schedule.

**Councilor Marmarou moved, seconded by Councilor Acosta, to adjourn the regular meeting of Council.**

*Respectfully submitted by Linda A. Kelleher CMC, City Clerk*